

REMARKS

The examiner rejects claims 1-18, and 20-22 under U.S.C. 101 as directed to non-statutory subject matter. Claims 1, 7-11, 13-17, 19-22 are rejected under 35 U.S.C. §103(a) as unpatentable over Hammonds (6,477,509); claims 2,4,5,6,12, 18 are rejected under 35 U.S.C. §103(a) as unpatentable over Hammonds (6,477,509) in view of Deaton (5,687,322); and claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hammonds (6,477,509) in view of Walker (5,862,223).

Claims 1, 20, 21, and 22 have been amended to more clearly define the scope of the invention. Support for the amendments can be found in the specification as filed. Therefore, Applicant respectfully requests that the Section 101 rejection be withdrawn.

Claims 1, 7-11, 13-17, 19-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hammonds (6,477,509). Applicant respectfully traverses this rejection and requests that the Examiner withdraw the rejection in light of the following comments.


Hammonds discloses a marketing method and system for use on the internet. Particularly, Hammonds discloses a system for providing incentives to consumers based upon transmittal of static consumer profile information (col 4, lines 40-43). Therefore, in consideration for receiving an incentive, a user is shown targeted advertising based upon preferences identified in a static consumer profile (see col. 4, lines 30-40).

Hammonds fails to disclose Applicant's invention as recited in claim 1. Particularly, Hammonds is silent with regard to creating a consumer profile where the profile includes information related to a bid on an internet auction item. More particularly, Hammonds only mentions auctions at col. 9, lines 47-50, as information which could be shown to a system user, such as a list of items which are presently being offered in online auctions alongside the current

bid for those items. Thus, while Hammonds states that it can provide auction items for viewing, it never suggests creating a consumer profile that includes information relating to a bid on an auction item. Therefore, Hammonds, nor any combination of Hammonds and any other cited patent, discloses the invention as recited in claim 1. Therefore, Applicant respectfully requests that the Section 103 rejection of all claims be withdrawn.

In light of the foregoing, Applicant submits that the application is now in condition for allowance, and accordingly, respectfully requests the allowance thereof.

Respectfully,



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